



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3623

In re

Patent Application of

Jay S. Bayne

Application No. 10/678,297

Confirmation No.: 3490

Filed: October 3, 2003

Examiner: Not yet assigned

"METHOD AND SYSTEM FOR  
NETWORK-BASED, DISTRIBUTED,  
REAL-TIME COMMAND AND  
CONTROL OF AN ENTERPRISE"

INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 CFR §1.97(b)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner's attention is directed to the references which are listed on the attached Form PTO/SB/08A and PTO/SB/08B and copies of which are attached.

Citation of these references is respectfully requested.

No concession is made that these documents are prior art, and Applicant expressly reserves the right to antedate the documents as may be appropriate.

Respectfully submitted,

Derek C. Stettner  
Reg. No. 37,945

File No. 030234-9001-00

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I, Karen J. Kline, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

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*Karen J. Kline*  
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				First Named Inventor	Jay S. Bayne
				Group Art Unit	3623
				Examiner Name	Not yet assigned
				Attorney Docket Number	030234-9001-00
Sheet	1	of	5		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner Initials		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc. ), date, pages(s), volume-issue numbers(s), publisher, city and/or country where published.
		BAYNE, JAY S.; A Software Architecture for Control of Value Production in Federated Systems; pp. 1-6
		BUYA, RAJKUMAR, STOCKINGER, HEINZ, GIDDY, JONATHAN, & ABRAMSON, DAVID; Economic Models for Management of Resources in Peer-to-Peer and Grid Computing; pp. 1-13
		MURSHED, MANZUR & BUYA, RAJKUMAR; Using the GridSim Toolkit for Enabling Grid Computing Education; pp. 1-7
		SCRUDDER, ROY, LUTZ, ROBERT, & DAHMANN, DR. JUDITH; Automation of the HLA Federation Development and Execution Process; pp. 1-7
		MORRISON, DR. JEFFERY G., KAUFMANN, KENNETH, MOORE, RONALD A.; Global 2000 "Knowledge Wall"; pp. 1-2; SPAWAR Systems Center, Department of The Navy Science & Technology; San Diego
		JENSEN, E. DOUG; The Distributed Real-Time Specification for Java extends RMI in the Real-Time Specification for Java, to provide support for predictability of end-to-end timeliness of trans-node activities; pp. 1-8; <a href="http://web1.jcp.org/en/jsr/detail?id=50&amp;showPrint">http://web1.jcp.org/en/jsr/detail?id=50&amp;showPrint</a>
		ALBUS, JAMES S.; Outline for a Theory of Intelligence; IEEE Transactions on Systems, Man, and Cybernetics, Vol. 21, No. 3, May/June 1991; pp. 473-509
		KAMRAD, MIKE, TAFT, TUKCER, BAYNE, DR. JAY, BAILEY, ELSAG, PRATT, KEITH, CLARK, JEFF, WODDRUFF, JOHN, RIZIK, DR. PETE, LEIF, DR. BOB, LEIF, SUZANNE, BARTOW, JULES, VOLZ, DR. RICHARD, & THERIAULT, DR. RON; Summary of ARTEWG Workshop on Distributed Systems; 21-23 April 1995; pp. 1-10; <a href="http://www.acm.org/sigada/wg/artewg/dist_workshop_summary.html">http://www.acm.org/sigada/wg/artewg/dist_workshop_summary.html</a>
		DEPARTMENT OF DEFENSE; C <sup>4</sup> ISR Architecture Framework Version 2.0; December 18, 1997; pp. 1-240

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		SELIC, BRAN, & RUMBAUGH, JIM; Using UML for Modeling Complex Real-Time Systems; March 11, 1998; pp. 1-22
		BAYNE, JAY, WILHELM, ROBERT, SEEM, JOHN, & DREES, KIRK; Session E: Intelligence in Large-scale Industrial Controls; AIRTC '98, Grand Canyon, AZ, October 5-8, 1998; pp. 1-9
		DEERING, S., & HINDEN, R.; Internet Protocol, Version 6 (IPv6) Specification; Network Working Group, December 1998; ftp://ftp.isi.edu/in-notes/rfc2460.txt, pp. 1-36
		BAYNE, JAY S.; Objects & Transactions in Industrial Control System; 2nd IEEE International Symposium on Object Oriented Real-time Computer Systems, Malo, France, May 3, 1999; pp. 1-20
		KANGASLUOMA, MINNA; Policy Specification Language; November 25, 1999; <a href="http://www.nixu.fi/~minna/draft2.html">http://www.nixu.fi/~minna/draft2.html</a> ; pp. 1-9
		BAYNE, JAY S.; Unleashing the Power of Networks: Pulling Building Control into the Era of Integration; Johnson Controls, Copyright 1999; pp. 1-4
		HERRING, CHARLES, & KAPLAN, SIMON; The Viable System Model for Software; Department of Computer Science and Electrical Engineering, University of Queensland; June 2000; pp. 1-9
		JENSEN, E. DOUGLAS; Utility Functions: A General Scalable Technology for Software Execution Timeliness as a Quality of Service; Revised July 6, 2000; pp. 1-96
		JENSEN, E. DOUGLAS; Utility Functions: A General Scalable Technology for Software Execution Timeliness as a Quality of Service Part 1: Motivation; Revised June 13, 2000; pp. 1-45

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		JENSEN, E. DOUGLAS; Utility Functions: A General Scalable Technology for Software Execution Timeliness as a Quality of Service, Part 2: The Time/Utility Function Model; Revised August 5, 2000; pp. 1-82
		DEPARTMENT OF DEFENSE; Joint Technical Architecture, Joint Interoperability and Warrior Support; Version 4.0, April 2, 2001; pp. 1-228
		DEPARTMENT OF DEFENSE; Technical Reference Model, Joint Interoperability and Warrior Support; Version 2.0, April 9, 2001, pp. 1-114
		BAYNE, JAY S.; Automation & Control In Large-Scale Interactive Systems; 5th IEEE International Symposium on Object-oriented Real-time Distributed Computing, April 29 - May 1, 2002, Washington D.C.; pp. 1-10
		FOSTER, IAN; The Grid: A New Infrastructure for 21st Century Science; Physics Today, February 2002, pp. 1-9
		CLARK, RAY, JENSEN, E. DOUGLAS, WELLS, DOUG, & WELLINGS, ANDY; The Distributed Real-Time Specification for Java, Overview and Status; November 11, 2002; pp. 1-48
		FOSTER, IAN, KESSELMAN, CARL, NICK, JEFFERY M., & TUECKE, STEVEN; Grid Services for Distributed System Integration; IEEE Computer, The New Net, June 2002; pp. 37-46
		FOSTER, IAN, KESSELMAN, NICK, JEFFREY M. & TUECKE, STEVEN; The Physiology of the Grid An Open Grid Services Architecture for Distributed Systems Integration; <a href="http://www.globus.org/research/papers/ogsa.pdf">http://www.globus.org/research/papers/ogsa.pdf</a> ; Version June 22, 2002; pp. 1-31
		BAYNE, JAY S.; The Architecture of Enterprise; <a href="http://www.echelon4.com">www.echelon4.com</a> ; September 21, 2002; pp. 1-4

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		WELLINGS, ANDY, CLARK, RAY, JENSEN, DOUG, & WELLS, DOUG; a Framework for Integrating the Real-Time Specification for Java and Java's Remote Method Invocation; www.real-time.org; Revised 2002; pp. 1-10
		LOCASTO, MICHAEL, BURNSIDE, MATTHEW, LI, CHUN, & WAHL, ARON; SPCL: Structured Policy Command Language; February 6, 2003; pp. 1-7
		BAYNE, JAY S., & PAUL, RAYMOND; Performance Measurement in C2 Systems; 8th International Command & Control Research and Technology Symposium; June 2003; pp. 1-10
		TSAI, DR. W.T., & PAUL, DR. RAYMOND A.; Adaptive, Scenario-Based, Object-Oriented Test Frameworks for Testing Embedded Systems; ITEA Journal; June/July 2003; pp. 1-6
		MOREAU, JEAN-JACQUES, SCHLIMMER, JEFFREY; Web Services Description Language (WSDL) Version 1.2, Part 3: Bindings; W3C Working Draft June 11, 2003; pp. 1-38
		BAYNE, JAY, & PAUL, RAYMOND; Performance Measurement in C2 Systems The FORCENet Challenge; 8th International Command and Control Research and Technology Symposium On "Information Age Transformation"; Washington D.C., June 17-19, 2003; pp. 1-31
		TUECKE, S., CZAJKOWSKI, K., FOSTER, I., FREY, J., GRAHAM, S., KESSELMAN, C., MAQUIRE, T., SANDHOLM, T., SNELLING, D., VANDERBILT, P.; Open Grid Services Infrastructure (OGSI), Version 1.0; June 27, 2003; pp. 1-86; Global Grid Forum; www.ggf.org
		OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE NETWORKS AND INFORMATION INTEGRATION (OASD/NII); Unified Command Structure (USC) Operational Concept Description; V13; June 25, 2003; pp. 1-20
		BAYNE, JAY S.; A Software Architecture for Control of Value Production in Federated Systems; 7th World Multi-Conference on Systemics, Cybernetics & Informatics SCI 2003; July 2003; pp. 1-6

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		BAYNE, JAY S.; Automation and Control in Grid-Connected Federations; ISA EXPO 2003; Houston, TX; pp. 1-15
		BAYNE, JAY S.; Architecture of Federated Enterprise; ISA EXPO 2003; Houston, TX; pp. 1-5
		LENAHAN, JACK; An Abstract Process and Metrics Model for Evaluating Unified Command and Control A Scenario and Technology Agnostic Approach; Draft Version 2.0; January 16, 2004; pp. 1-65; Space and NVAL Warfare Systems Command, Charleston, S.C.
		DEPARTMENT OF DEFENSE; Joint Command and Control Functional Concept; February 2004; pp. 1-101
		CHINNICI, ROBERTO, GUDGIN, MARTIN, MOREAU, JEAN-JACQUES, SCHLIMMER, JEFFERY, WEERAWARANA, SANJIVA; Web Services Description Language (WSDL) Version 2.0, Part 1: Core Language; W3C Working Draft March 26, 2004; pp. 1-90
		GUDGIN, MARTIN, LEWIS, AMY, SCHLIMMER, JEFFREY; Web Services Description Language (WSDL) Version 2.0, Part 2: Message Exchange Patterns; W3C Working Draft March 26, 2004; pp. 1-10

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**U.S. PATENT DOCUMENTS**

Examiner Initials		U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document
		6,049,774	Roy	4/11/2000
		6,115,691	Ulwick	9/5/2000
		6,411,936	Sanders	6/25/2002
		6,549,893	Lannert et al.	4/15/2003
		6,578,005	Lesaint et al.	6/10/2003
		20010053993	McLean et al.	12/20/2001
		20020065696	Hack et al.	5/30/2002
		20020087336	Hale et al.	7/4/2002
		20020184067	McLean et al.	12/5/2002
		20020188486	Gil et al.	12/12/2002
		20030018506	McLean et al.	1/23/2003
		20030033179	Katz et al.	2/13/2003
		20030046125	Flores	3/6/2003
		20030110064	Tu et al.	6/12/2003

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